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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,112	12/19/2000	Safia Djennane	2000P09100 US	4211

7590 11/24/2004

Siemens Corporation
Intellectual Property Department
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EXAMINER	
NGUYEN, QUANG N	
ART UNIT	**PAPER NUMBER**
2141	

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/740,112	DJENNANE ET AL.	
	Examiner	Art Unit	
	Quang N. Nguyen	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 11-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 11-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. This Office Action is in response to the Amendment filed on 07/06/2004. Claim 8 has been amended. Claim 10 has been cancelled without prejudice. Claims 19-21 have been added as new claims. Claims 1-9 and 11-21 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-2, 8-9, 11-13 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Rudy et al. (US 6,360,252), herein after referred as Rudy.

4. As to claim 1, Rudy teaches a method for synchronous wireless application protocol messaging comprising the steps of:

providing each of two or more clients to a wireless application protocol (WAP) chat server an identification *(the IMS provides a WML login or authentication page to client machine 220 for user entering user name and password)* (Rudy, Fig. 5 and C11:L44 - C5:L10);

creating a wireless markup language document *(a web page)* including a client profile *(e.g., user name)* and a client posted message *(the IMS creates and transmits a chat page with included links to client machine 220)* (Rudy, Fig. 8 and C16: L9-53); and

synchronizing each client's view of the wireless markup language document *(if the chat item was successfully submitted by the IMS, the chat page created in the next iteration should include the submitted chat item)* (Rudy, Fig. 8 and C16:L60 – C17:L9).

5. As to claim 2, Rudy teaches the method of claim 1, wherein the document includes a hyperlink for allowing the client navigate profiles and messages *(the IMS creates and transmits a chat page with included links to client machine 220)* (Rudy, Fig. 8 and C16: L36-53).

6. As to claim 8, Rudy teaches a system for synchronous mobile collaboration comprising:

a wireless application protocol client *(a wireless client machine 220)* connected to a wireless application protocol gateway *(a carrier's server system 222)* (Rudy, Fig. 4 and C10: L42-63);

a world wide web server hosting a wireless application protocol chat service for managing collaborators on a session-per-user basis *(provider's network 206 includes provider's server system 232 providing conventional network services as IMAP, POP3, SMTP, LDAP, or chat server for managing chat service, etc.)*, the world wide web server connected to the wireless application protocol gateway *(via the communication network 200)* and generating a wireless markup language interface for the wireless application protocol client *(generating WML login/authentication, top-level menu and chat page for the client machine 220)* (Rudy, Fig. 4, C11:L8 - C5:L10); and

an internet relay chat server specified by the wireless application protocol client at the start of the session *(client machine uses a provider supplied URL via the User server system 212 to establish a connection to the chat server of the provider's server system 232)*, wherein the internet relay chat server is coupled to the world wide web server (Rudy, C10: L30-41 and C11:L44 - C12: L10).

7. As to claim 9, Rudy teaches the system of claim 8, wherein the World Wide Web server manages wireless application protocol client chat sessions, which in turn can interact with multiple internet relay chat servers *(to enable the IMS to provide the "Chat"*

service to a group of people, a counterpart chat server program must be running on User's server system 212 or another network that is accessible to all of the people in the group, i.e., interacting with internet relay chat servers) (Rudy, C15:L62 – C6:L8).

8. As to claim 11, Rudy teaches the system of claim 8, wherein the World Wide Web server comprises a wireless application protocol Chat agent based on Active Server Page technology *(provider's server system 232 provides an intermediate server IMS, i.e., a chat server, implemented with an Apache 1.3 Web server using the Apache JServ module running a custom set of Servlets)* (Rudy, C11: L19-22).

9. Claims 12-13 are corresponding program storage device claims of method claims 1-2; therefore, they are rejected under the same rationale.

10. As to claim 19, Rudy teaches the system of claim 8, wherein the wireless markup language WML interface is stored on the world wide web server and served to the wireless application client *(the IMS generates, stores and servers the WML login/authentication, top-level menu and chat page to the client machine 220)*, wherein a wireless application protocol client message sent to the world wide web server is added to the wireless markup language interface *(the client transmits to the IMS the entered text to the conversation, if the chat item was successfully submitted, the chat page created in the next iteration should include the submitted chat item)* (Rudy, C11:L44 - C12: L10 and C16:L60 - C17:L9).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 3-6 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudy, in view of Marquette et al. (US 6,499,053), herein after referred as Marquette.

13. As to claims 3-4, Rudy teaches the method of claim 1, but does not explicitly teach a first client creates a collaboration space and the server provides a collaboration space for clients.

In a related art, Marquette teaches mobile *(wireless)* chat clients 21 are configurable to operate in either a master mode or a slave mode, wherein the master mode, the mobile chat client 21 can initiate *(create a chat room/session)*, participate in, and manage chat sessions (Marquette, C3: L32-41).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Rudy and Marquette to have a first client create a collaboration space and provide a collaboration space for clients since such methods were conventionally employed in the art to allow the chat server to create a collaboration space as requested/initiated by a chat client to form a chat session for him and his potential invitees in real-time.

14. As to claim 5, Rudy-Marquette teaches the method of claim 4, wherein the collaboration space includes a client moderator *(in the master mode, the mobile chat client 21 can initiate, participate in, and manage chat sessions)* (Marquette, C3: L32-41).

15. As to claim 6, Rudy-Marquette teaches the method of claim 1, further comprising the step of defining a privilege for client, wherein the privilege defines access to document content *(the chat server determines from the user name to configure the chat client as master mode that can initiate/create a chat room/session, invite members to join the chat session, participate in a chat session initiated by another master client, and manage chat sessions)* (Marquette, C3: L32-41).

16. Claims 14-17 are corresponding program storage device claims of method claims 3-6; therefore, they are rejected under the same rationale.

17. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudy, in view of Burgan et al. (US 6,668,169), herein after referred as Burgan.

18. As to claim 7, Rudy teaches the method of claim 1, but does not explicitly teach the step of refreshing a client view of the document after a defined period of time.

In a related art, Burgan teaches a method for communicating within a chat topic in a wireless communication system, wherein the chat application 160 automatically updates the display 156 when a new chat message has been received (Burgan, C10: L31-42).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Rudy and Burgan to refresh a client view of the document *(i.e., the chat page)* after a defined period of time since such methods were conventionally employed in the art the allow the chat message *(or chat screen/window)* to be updated while the user is reading it without disturbing the display 156 (Burgan, C10: L33-34).

19. Claim 18 is a corresponding program storage device claim of method claim 7; therefore, it is rejected under the same rationale.

20. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudy, in view of Inala et al. (US 6,442,590), herein after referred as Inala.

21. As to claim 20, Rudy teaches the method of claim 1, but does not explicitly teach the step of storing the wireless markup language document on the server for viewing by the clients.

In a related art, Inala teaches a method and apparatus for a site-sensitive interactive chat network, wherein chat transcripts maybe stored for some period of time and such transcript storage is made available at the service-control server (Inala, C9:L62 – C10:L7).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Rudy and Inala to store the wireless markup language document on the server for viewing by the clients since such methods were conventionally employed in the art as in conventional chat programs, for the purpose of rendering them searchable (Inala, C9: L62-64).

22. Claim 21 is a corresponding program storage device claim of method claim 20; therefore, it is rejected under the same rationale.

23. Applicant's arguments as well as request for reconsideration filed on 07/06/2004 have been fully considered but they are moot in view of the new ground(s) of rejection.

24. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

25. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/RUPAL DHARIA/
SUPERVISORY PATENT EXAMINER